

## Module 2, Week 5 Evidential Hearings Summary

### Clare Lombardelli (Former Chief Economic Adviser, HM Treasury)

- Primary advisor to the Chancellor on macroeconomic and fiscal issues. It is difficult to work out the costs of lockdown – Would have to know what would have happened if there had been no lockdown. They suggested that the Chancellor push back strongly on the circuit breaker because the economic impacts would be severe. Everyone in the Treasury was incredibly worried about impact on health and loss of life but they were also aware of the all the harms that were going to be caused. Their role in the process was to provide evidence and analysis of the economic impact of the proposal that was being considered. Other evidence would be provided by others.
- **Eat Out to Help Out (EOTHO)** - They planned for a range of policy interventions to support the economy and EOTHO was one part of that package. Lombardelli wasn't heavily involved so didn't know whether scientists were consulted and didn't know the details of the clearance process. Also didn't know if the risk of potentially increasing infections was considered. The policy was conceived in the context that it was safe to lift restrictions and activity could return. Lombardelli was not aware the Chancellor was referred to as Dr Death. She was not aware he was considered to be anti-lockdown. They were providing him with advice and information. He will have been aware of the economic impacts.
- **Financial support for self-isolation payments** - Lombardelli was aware of the discussion but wasn't involved in any of the modelling. The welfare side of the Treasury would have been involved in that. Payments for carers – refused compensation for not being able to move between various homes. She was not involved in that.

### Stuart Glassborow - Former Deputy Principal Private Secretary to the Prime Minister

- Number 2 to Martin Reynolds.
- In February, the Private office in No 10 were not advised of the likely scale of the pandemic. It was just one of the issues that the Prime Minister was engaging with. Glassborow didn't recall hearing representations that the Prime Minister's diary should be cleared of everything else to focus on this exclusively. He did recall reference to not wanting to overreact and balance that with the need to take precautionary measures
- Mr Glassborow became aware of the EOTHO scheme around 2nd July when the Chancellor took the Prime Minister through the summer plan. He didn't recall whether scientific advice on the scheme was discussed in that meeting. He and others in No 10 did become aware that there hadn't been direct CMO/CSA/SAGE advice on this policy.

- Patrick Vallance's notebook said that the Prime Minister recorded in a meeting on 25th January 2021 saying "bring in the pro death squad from HMT" when talking about tiers.
- Mr Glassborow did not hear the Treasury or the Chancellor being referred to as "pro death."

### **Dr Ben Warner - Former Special Adviser at No. 10**

- Dr Warner became convinced that the mitigation strategy was incorrect and would cause the NHS to be overwhelmed. He thought at the time that this was a massively serious threat and didn't think Exercise Nimbus stress tested the government's plans in any serious way.
- He did think that within the COBR/Cabinet Office, he was continually concerned about their understanding of what SAGE was saying and how that was being translated into the documents that were produced for ministers.
- By 13th March, Dr Warner was of the view that we were further along with epidemic than they originally thought. There were more infections and it was growing faster than anticipated. Dr Warner was of the opinion they should move faster and change strategy. Lots of people including members of SAGE did not think that the mitigation strategy was necessarily the right one and we had to move to a suppression strategy. From early 2020 they should have developed alternative plans for example lockdowns after seeing actions in China or Northern Italy. Once they saw other countries were implementing suppression, even if they felt mitigation was right choice for the UK, they should have started working up plans around suppression
- Throughout the Covid-19 response, not enough resources were devoted to alternative plans and measures that strategically reacted to potential developments in Covid-19. Government's 'just in time' policy making exposed the lack of expertise within teams. The speed meant that it was difficult to pull in the appropriate expertise from outside, and this speed also forced a reliance on visualisations of data rather than rigorous quantitative analysis.
- The decisions on the second and third lockdowns you think were correct at the time they were made, but Dr Warner believes they could have done more to prepare for these scenarios.
- Dr Warner was concerned that the Treasury were not necessarily providing a neutral set of information for the Chancellor to make decisions upon.

### **Simon Ridley - Former Head of Cabinet Office Covid-19 Taskforce**

- Prior to the task force being created Mr Ridley was the Secretary to the Health Ministerial Implementation Groups (HMIG). The healthcare MIG addressed matters such as NHS capacity, shielding and social care capacity. They were setting up the shielding program in England as health is a devolved matter but were in touch with the DAs .

- The discharge of patients from hospital to care homes - It was particularly important that people who were able to leave hospital were discharged. The importance of it was discussed at HMIG and with the Prime Minister at the strategy meetings. The aim was to get 15,000 people discharged from hospital to social care at the end of March and start of April. HMIG focused on the progress being made and in terms of preparation for the social carer receiving people.
- On 22nd March guidance suggested that care homes should accept patients if they were asymptomatic even if they had not received a Covid test.
- No assurance had ever been given that patients would only be moved following a negative test. It was a constant debate whether there was a need for testing and whether the system was able to meet that number of tests.
- On 3rd April in Alex Burns' email there was a reference to lack of strategy for care homes. "Once someone gets it in one of these places many people die ... have we considered extra measures or guidance?"
- Those concerns were growing as we went into April and a strategy was produced in the middle of April.
- CMO advised on 14th April that Asymptomatic patients from hospital had to be tested and guidance was updated.
- It was a priority for discharge to happen, and the HMIG discussions were about what the support and mitigations for care home and the care sector were. There were some limitations to that in terms of testing capacity.
- The MIG structure changed to Covid Taskforce structure (CTF). The CTF was not consulted about EOTHO. It was decided by the Prime Minister and Chancellor as far as Mr Ridley was aware. They were blindsided by the Treasury and there was nothing they could do.
- On 16th September's Strategy Meeting: Opportunity for CSA and CMO to give their views to the PM on where they were. Debate on what might happen if no action was taken. PM was calling for a range of measures. He was seeking ways to manage the virus short of a national lockdown
- On 17th September: SPI-M-O advised that the trajectory of numbers is such that NHS will be potentially overwhelmed in 6 weeks.
- CTF recommended a mixture of package B and C. The PM opted for a mixture of package A and B. That doesn't work so in October the Government introduced the tier system. That doesn't work and then we go into the full lockdown.
- Patrick Vallance's diary said: "Very bad meeting in Number 10 ... Chancellor using increasingly specific and spurious arguments against closing hospitality, both of them clutching at straws."
- It was definitely the case that the PM and the Chancellor didn't want to put circuit breakers in place and the Chancellor certainly was arguing about closing hospitality and there was a debate about the extent to

which sector closures would have the suppression impact we were stating it would.

- On October 11th PM announced tiers 1-3. There were a number of real difficulties with the process. Regional mayors were opposed to any suggestion their areas be placed into higher tier. There were difficulties negotiating the regions and the financial support that could be provided to them. Also confusion was caused to the public. Prevalence continued to rise in October and they would need further negotiations with a great number of councils and so it wasn't going to work at pushing back the virus quickly enough. Had they been imposed in September when lower prevalence there would have been a greater chance it would have worked. Had they acted more strongly and earlier we stood a fairer chance of avoiding a lockdown.
- Mr Ridley thinks we should have taken stronger action earlier. In hindsight, the regional approach didn't work and therefore earlier national action may well have been better. But that comes with other consequences.

### **Lord Edward Udney-Lister - Former Chief of Staff at No. 10**

- On 27th February, Lord Udney-Lister set out my concerns that the threat from C19 to the economy was as important as health and needed to be discussed in COBR. Lord Udney-Lister was concerned about the economy. All the emphasis was on the health risks which they were still trying to understand but there wasn't enough balance. Nobody had died at that point. Everything was coming from health and there wasn't enough counter argument. Boris Johnson did express the concern there would be an overreaction and Lord Udney-Lister shared that view. They didn't believe it was going to be as bad as it became. There was a confidence and a feeling that we would do better, and it wouldn't be as bad. They still believed the system had plans the health minister was confident, everyone was confident.
- The Prime Minister did ask about being injected with Covid on TV to demonstrate it did not pose a threat. Lord Udney-Lister appreciates now that was unhelpful but the comments were made at a time when they had limited understanding of what lay ahead. This was before Italy and before it became apparent to everybody when it was not seen as being a serious disease.
- The increase in Domestic Violence was discussed but not right at the start of the lockdown. It wasn't particularly high on the list. Lord Udney-Lister didn't think people had thought about it being a likely outcome. There were all sorts of other consequences. Yes, they should have thought much more about Domestic Violence. It wasn't discussed in their hearing until after lockdown.
- The first lockdown continued for longer than necessary. The Chancellor reiterated the implication for the economy of the current lockdown if they persisted and urged greater progress on opening up the economy.

- Assisted with DTs. Things went relatively smoothly with NI and Wales but it was fairly tense with Scotland. Scotland always wanted to take measures a day earlier or a week later, they never wanted to do it at the same time and that created enormous level of distrust. There was a real desire by the Scottish Government to always show that they were not doing the same as England and that they were running a different operation in Scotland and that they were, in their view, doing things better. It was just almost seemed that there was the desire just to be different. It appeared politically driven.
- Lord Udny-Lister recalled the Prime Minister saying in September 2020 that he would rather "let the bodies pile high" than impose another lockdown. It was an unfortunate turn of phrase.
- Lord Udny-Lister believed the tiering system was going to work. It wasn't given enough time to work. He thought they could have got through to the other side Christmas without the circuit breaker.

### **Lord Mark Sedwill - Former Cabinet Secretary and Head of the Civil Service**

- From the first half of February there was a good explanation of the nature of the virus, the scientists understood it, there was an explanation of the potential level of number fatalities should the RWCS manifest itself but there an assurance that plans were in place to manage it. In hindsight those plans should have been interrogated more carefully by Lord Sedwill and at Cabinet level.
- Some of the plans Lord Sedwill aware of was how to manage to excess mortality so he was aware there were operational plans of that kind. He presumed there were plans to protect and quarantine the most medically vulnerable. It was not understood that that there were no plans to deal with control and stopping the virus from entering the UK and then spreading throughout the community.
- The Prime Minister is an optimistic person and Lord Sedwill thinks that optimism bias probably did reflect his overall stance.
- The message from SPI-MO on 2nd March that there was already community transmission in the UK can't have been communicated through the system properly to the top of government.
- Lord Sedwill said he and the whole of Government didn't appreciate the lack of preparedness at the time.
- His comment about chicken pox parties was made before the meetings of 13th March and change of approach. Lord Sedwill said he knew Covid was more serious than chicken pox, but Ben Warner thought he was saying they were analogous. Lord Sedwill was trying to address this question of it was inevitable it would spread throughout so was there a way of managing it given its differential impact. Could we ensure it spread throughout those for whom the disease would be unpleasant rather than dangerous and shield those for whom it would be dangerous.

- Lord Sedwill would accept that the Government should have realised earlier that the NHS would be overwhelmed. He thinks in almost all of these cases we should have realised earlier. It is possible that earlier introductions of measures might have avoided the need for lockdown. It is a reasonable supposition, but he was highly sceptical it could have been avoided altogether. It might have been less prolonged but generally earlier is better.
- There was a concern about the candour of Matt Hancock. It was damaging and Lord Sedwill did raise it with the Prime Minister as he was over promising and under delivering. He did say to get rid of him.

### **Justin Tomlinson MP - Former Minister of State for Disabled People, Health and Work**

- 21% of the population are disabled, which equates to around 14.1 million people
- Mr Tomlinson was responsible for disability benefits – 13.6 billion.
- Any stakeholder engagement would bring up issues that was outside the remit of DWP so it was more efficient for the Cabinet Office to chase up with the relevant departments.
- There was an issue around those classified as Clinically Extremely Vulnerable (CEV) as it omitted a significant number of people who were disabled. CEV people were prioritised for shielding and supermarket deliveries. That meant people who were not CEV but were disabled were not able to get delivery slots etc.
- 60% of those who had died from C19 were disabled.
- The lack of British Sign Language (BSL) at the daily press conferences was also hugely frustrating. It was raised right at the beginning and repeatedly flagged. It was an easy fix and it took far too long. To this day, Mr Tomlinson still doesn't understand why it wasn't resolved much more quickly. It could and should have been better.
- They did not find an emergency plan for disabled people but many things were done at speed at the beginning to make sure disability benefits, changes to access to work, change to carers allowances all happened very quickly.
- Mr Tomlinson didn't know why disabled people were not included in Kemi Badenoch's investigation on disparities.

### **Martin Hewitt QPM - Former Chair of the National Police Chiefs' Council**

- The provisions of the Coronavirus Act and the related regulations led the police service into largely uncharted territory.
- There were over 140 changes to the restrictions. There were also differences between different countries. And when we were in tiers, a force may have different regulations applying within its area.

- Some of the public statements about restrictions were guidance and not law, for example, only being able to go out once for exercise. Guidance is not law and they police to the law. At various stages there was a lack of clarity about what precisely was required.
- One of their frustrations was that they were not involved at an earlier stage to explain some of the implications for policing of the changes to restrictions. Sometimes they would only have a few hours' notice of changes to regulations. More should have been done to get their input on the regulations. It was unfair to put the officers in a position where they didn't understand precisely what they were supposed to be doing.
- Government guidance wouldn't always come out at the same time as the regulation and then ministers on the morning media would answer questions and refer to guidance as if it was a regulation and cause further confusion. Mr Hewitt would then have to go on the media and say that wasn't correct. It was unhelpful to members of the public, the vast majority of whom did not want to breach the regulations. It was incredibly confusing to understand.
- People from a BAME background were more likely to be issued with a Fixed Penalty Notice than a white person.
- It was self-evident from my experience that lockdown would put vulnerable people at a higher risk of domestic violence. They produced a range of guidance about how Women's organisations could deliver services in a Covid environment. Guidance was drawn up with the domestic abuse charities. They also provided practical guidance on how officers could deal with attending at a house to intervene in a covid environment and shared that with the forces.

### **Dame Priti Patel MP - Former Secretary of State for the Home Department**

- The regulations were solely the domain of the DHSC. Dame Patel had a very close working relationship with the police and they would then be the interface on the regulations to the DHSC. Their role was to be advocate for the police and bring to light the practicalities of what was working and not working around enforcement.
- The Home Office is responsible for UK borders and controlling immigration but for border health matters it is the Department of Health that holds the legislative levers.
- Decisions regarding screening/temperature check at the border, reduction in travellers and quarantine were guided by the science. The advice was that screening/temp check was practically ineffective because symptoms aren't always present. They were also advised that significant closure of borders would be unlikely to delay the spread of the virus and would not give the NHS enough time. The advice is one aspect but the practicalities of what they had capability to do, and critical supplies is the other aspect.
- On 18th March, Dame Patel had already started discussions in the Home Office around vulnerable people. She called for a wider definition

of vulnerable people so that the impact on a wider group to people could be considered and taken account of. Previously it had only been considered in a health context.

- They knew that when we came out of lockdown there would be a surge in demand for help, so they needed resources for that. Dame Patel said she reprioritised pretty much their entire budget.
- On 11th April 2020, the You Are Not Alone campaign was launched, should you need help and support. £2 million went towards domestic abuse helplines (in anticipation that launching the campaign would result in an upsurge).
- Regarding the Covid Regulations, Dame Patel can't account for the lack of interoperability and inflexibility of the Cabinet Office and DHSC. It was suboptimal at every level. Dame Patel would agree there was confusion surrounding the regulations. There would need to be a totally different system for future bringing into force regulations.
- The £10,000 flat fine that was introduced in August was very high. Dame Patel did not think it was proportionate. The Home Office did push back on that.
- Regarding the Sarah Everard Vigil, there was no doubt that people were going to come out and share their grief. Dame Patel did tweet that there might be other ways of doing that. She saw what happened and it was totally inappropriate policing that she had to raise with the Commissioner of the Met Police.
- There was disproportionate imposition of Fixed Penalty Notices (FPN) on BAME community. In June 2020, Black, Asian and Minority Ethnicities (BAME) were three times more likely to be given a FPN. It did raise concerns.

### **Jun Pang - Policy and Campaigns Officer, Liberty**

- Given the breadth and the severity of the restrictions that were being proposed and introduced, that secondary legislation, especially the urgent procedure that was being relied on by Government, use of the Public Health Act, was inappropriate. It was a crisis, but they flagged that the CCA could be used as that makes provision for rapid decision making in an emergency situation. The CCA had safeguards, for example, greater Parliamentary scrutiny, regulations which lapsed within seven days if they were not debated and approved by Parliament, and other measures like that.
- The BAME community was overpoliced and under protected.